

# Al Fiqh Ul Usool Ash-Shafi'i



## A study guide to Risalah Al Jami'a

Written And Explained

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Text Itself Written By

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# **Al FiqhulUsool Ash-Shafi'i**

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Written By Ustadh Abdullah-Faheem Al-Shafi'i

## Author's Introduction

All praised are for Allah, we seek him and ask him for his guidance and beg him for his forgiveness. Whomsoever Allah guides, there is no misguidance for him. And whosoever Allah causes to go astray, there is no guidance for him. I testify there is no God but Allah, he has no partners and dependents. Verily Allah exist without a place. He is in need of none. And I testify that our lord and Master Muhammad (Peace Be Upon Him) is his slave and seal of the Prophets. Amma Ba'du. This work is the introduction to the fiqh of Imam Muhammad b. Idris Ash Shafi'i. This text is widely studied All over darulooms worldwide. As a Mu'alim, I have taught this book as well as learned it but I noticed that Shafi'i students have more questions relating this material. The matn itself is a mere introduction, teaching what the bare obligations are in worship. As a student and teacher, I have decided to add explanation to the book, not as the purpose of scholarly work; but as a help guide to the students and teachers who desire it.

May Allah Accept, Ameen.

The text was written by Shaykh Ahmed Zayn Al-Habshi (Raheemahullah). His full name was Ahmed Ibn Zayn Al-Habshi Naf'an Allahubih born 1069 H. He was raised up in the Alawiyya surroundings in Haddramawt. He traces his lineage back to Al Mustafa, the best of creation Muhammed (Peace Be Upon Him). As a youth he studied Qur'an and other sciences from ulema in his surroundings. He attached himself to Gnosis which is typical amongst the Shafi'is. Shafi'i (Raheemahullah) once said: "Be both a fiqhi and A Sufi...not one of the two". He had many teachers two to mention was the great Imam Haddad (Raheemahullah) and Imam As-Sayyid Ahmed b. Umar Al Hindwan who gave him prediction that he would be great one day while they were at the Tomb Of Prophet Hud (AS).

He studied so much knowledge that by the Age of 70, he had completely become unsatisfied with the world and it's inhabitants. He had no other desire for anything but knowledge. He had a saying "I read 100 books, and were these books to be destroyed, I would reproduce them from my heart. He attached himself to the fiqh of Muhammed b. Idris Al Shafi'i. He also studied deeply the healing of medicine. He wrote many books but one to mention is "Shar-al- 'Ayniyya which is named "An Nafahatu-as-sirriyah wanafahat al-amiriyyah. Also Qasid of Imam Haddad. As a Sufi, he attached himself to poetry. His most widely admired book is "As-safinah al-Jami'ah, a 20 vol. book.

He attached himself to Zuhud(renouncing the worldly attachments). His adab spoke for him as he was very humble. He was even friends with his students. He reached the Maqaam of Siddiqyya on the testimony of his Shaykh Al-Haddad(Raheemahullah). He passed in the year 1145 H. His son, Ja'afar b. Ahmed continued in his path it was known as "Al TariqatulAlawiyya" whom today still exist.

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## AUTHOR'S PREFACE

*In the name of Allah, the Beneficent, the Merciful*

Praise Allah, Lord of the Worlds, a praise commensurate with His blessings and matching His increase. Allah favor and salute our master Muhammad, his family, and his companions. Allah's Messenger (Allah favor and salute him) has said, "Seeking knowledge is an essential for every Muslim" (male and female). He has also said (Allah favor and salute him), "Whoever travels a path upon which he seeks knowledge, Allah takes him along a path to Paradise."

To proceed, these are issues summarized mainly from some of the books of the Proof of Islam, Ghazali. Whoever knows them and acts upon them, we hope from Allah that he be of the people of knowledge, outwardly and inwardly. And through Allah is success.

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This is how a madhab spreads. One will study issues of the pervious scholars and summarize it in later works. And scholars will come and comment on those previously written. It is not for a mere scholar or student to do, but one that has studied a great level in fiqh and has been blessed with the understanding.

# 1

## FOUNDATIONS

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### *Pillars of Islam*

1.1 The pillars of Islam are five:

(1)testifying that there is no god but Allah and that Muhammad is the Messenger of Allah;

(2)fulfilling the prayer;

(3)giving zakat;

(4)fasting Ramadan;

(5)and performing the pilgrimage to the House for whoever can find a way there.[1]

[All those are to be fulfilled] with sincerity and conviction. Whoever is not sincere is a hypocrite; and whoever has no conviction in his heart is a disbeliever.[2]

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1. These are what makes on Muslim and if he chooses not to apply one of these 5, he is not a Muslim. When mentioning Zakat, one has to be in the category of those who legally have to pay zakat. For Ramadan, one must be able to fast and hajj, one has to be able to support his family while he is away, or the way must be safe. One also has to do his best to be in good standing with his debts that he whole, though completely paying them off is not necessary to make the hijjra.

2. AMunafiq(hypocrite) does things for the sake of others not Allah. One who is a “kaffir”(disbeliever) rejects the doctrine. This is why the Shaykh al-Habshihighlighted “All of these are to be fulfilled”

### *The Foundation of Faith*

1.2 The foundation of faith is that you believe [all the following]:

Allah (how high is He!) exists. He (how high is He!) is one, without partner, like,[3] or peer. There is none whatsoever like Him, and He is the Hearer, the Seer. He created the heavens and the earth[4]. He created death and life, obedience and disobedience, health and sickness, and the entire universe and everything in it. He created all creatures and their actions. He determined their provisions and their lifespans: they can be no more and no less. No event occurs except by His destining, decree, and will.

He (how high is He!) is living, knowing, willing, able, speaking, hearing, and seeing.[5] He knows all treacherous glances and what all hearts conceal. He knows the secret and the yet more hidden. He is creator of everything, and He is the One, the Overpowering.

1.3 He (how high is He!) has sent our master Muhammad, His slave and messenger, to all creation, for their guidance and for the perfection of their worldly life and their afterlife. He aided him with clear prophetic miracles.[6]

1.4 He (to him favor and salutation) is truthful in all he conveyed from Allah (how high is He!): including the bridge, the balance, the pool, and other matters of the afterworld; as well as the interworld,[7] including the questioning of the two angels and the torment and bliss of the grave.

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3. Nothing is “like” Allah in any way. Imam shafi’i was asked about Allah being on the throne. In surah Taha. Shafi’i responded we confirm this..”without How”( meaning we do say he is on it like the anthropomorphous). (See Tafsir Al Imam Al Shafi’i/book 3)

4. And what is between the heavens and earth.

5. Imam Nawawi considered these attributes enough to know Allah in his Al Maqasid, as well as Ash’ari before him as Imam Ghazali and others (See Aqeedatul Ghazali and other works). The deviants say the Ash’ari denied Allah’s attributes by speaking on these mentioned.

6. The Prophet (Peace Be Upon Him) was able to heal, as well as other miracles such as water springing forth from his fingers. One denies any of these is outside of our religion. (See Shifa of Qadi ‘Iyad, Aqeedatul At-Tahawi and other books.)

7. These were all informed to him (Peace Be Upon Him) from ‘Wahy” inspiration from Allah swt. The Kautthar is a river for the Prophet (Peace Be Upon Him) Anas (R.a) narrated: The Prophet (Peace Be Upon Him) one day took a nap and woke up laughing. We asked him, O Messenger Of Allah, why did you smile. The Prophet (Peace Be Upon Him) said: A surah was revealed to me than he read it out loud “Veirly we have given you Kauthar”

The Bridge is over the Hell fire, which the unbeliever's feet will slip off it and into the hellfire. While the believers will pass over it fast. The balance is the scale that on which deeds will be placed, there will be a light side, and an ugly dark side on this scale and the deeds will be weighed. Reliance Of The Traveler, Nuh Min Keller's Translation pg822-823. The afterworld is the after life and the interworld is the place between

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1.5 The Qur'an and all of Allah's revealed books are true, the angels true, Paradise true, the Fire true, and all that our master Muhammad (Allah favor and salute him) came with is true.

## 2

### **PRAYER**

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#### *Essentials (Furud) of Ablution (Wudu')*

2.1 The essentials of ablution are six:

- (1) the intention;[8]
- (2) washing the face, it being from the hairline to the end of the jawbones and chinbone and in width from ear to ear;
- (3) washing the lower arms to the elbows;
- (4) wiping any of the head's skin or hair within its limits;
- (5) washing the feet including the ankles;
- (6) and the given order.[9]

#### *Sex-Related Impurity (Janaba)*

2.2 If one has sex-related impurity (*janaba*) due to sexual intercourse or the exiting of ejaculate—whether from sleep or something else—one must wash one's entire body with the intention of lifting sex-related impurity.[10]

### *Nullifiers of Ablution*

#### 2.3 Ablution is nullified by:

- (1) something exiting either of the two waste passages, front or back, whatever it may be;
  - (2) loss of cognition[11], whether through sleep or something else, except the sleep of someone with his behind firmly planted to the ground[12];
  - (3) touching a person's genitals or anus, whether one's own or someone else's, with the inside of the palm or insides of the fingers, whether he is old or young, even if one's child, even if dead;
  - (4) and the meeting of the skins of a man and a woman that are grown and Marriageable, without a barrier, unless nail, hair, tooth, or severed part.[13]
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8. The Prophet(Peace Be Upon Him)said, “Actions are but by their intentions”/Arabi’eenNawawi. In the Shafi’i School, one has to actually intend an action for Allah, if not it is invalid.

9.This order is obligatory because this is the order that Allah has commanded in Qur’an 5:6. These are the requirements to having the wudu’ valid, though purposely omitting the sunnas are haram.

10. One has to actually intend to remove the impurity or the action will be batil(void). The intention must be formulated at the moment of entering the bath.The washing of the mouth and nose are unnecessary in the Shafi’iSchool(NawawiMinhaj et-Talibeenpg 9)In the Hanafi school, It is obligatory to do so when preformingGhusl.

11.Does not necessary mean one is insane, but one is unconscious of his action i.e sleep etc.

12.A person who is extremely thin and extremely fat does not fulfill this condition because they have too less or too much flesh on their buttocks. This is in regards to one having a regular amount of flesh on his buttocks where if he falls asleep, wind will not pass through the posterior because he would actually have to force it out. A thin or fat person will not be able to fit this condition(see Nawawi’s Al Maqasid)

13. Imam Shafi’i augured that touching a person that is not mahram(one that is able to marry)

Breaks wudu’. He argued Quran 5:6 where Allah says “and if you came in contact with women”...النِّسَاءَ مَسْتَمْتِلًاوُ. The wordمَسْتَمْتِلًاliterally means to touch. So Shafi’i ruled this to be a wuduinvalidator as well because lamastumu is to touch and it is done by using the hand.(See Umm). Shafi’i was a master of the Arabic language. In the Hanafi and Maliki schools there is difference of opinion. Hanafi one is allowed and in Maliki one invalidates only by touching with desire. All opinions are valid. And Allah Knows Best.



A barrier would be considered clothing, or glove or something. For bath, a rag of some sort, unless nail, hair, tooth, or severed part do not cause or bring excitement by touching, and they are not flesh except severed part.

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#### *Other Conditions (Shurut) of Prayer*

2.4 The prayer's validity is also conditional upon knowing the entrance of the time, by certainty, estimation, or overwhelming confidence, such that if one prays with uncertainty, one's prayer is invalid.[14]

Knowing the prayer direction (*qibla*) is also a condition.[15]

It is necessary to cover one's shameful area (*awra*) with a pure, permitted barrier.[16]

It is necessary to remove filth from one's clothing, body, and place.

It is necessary, for someone able, to pray the prescribed prayer standing.

#### *Essentials of Prayer*

2.5 The essentials of prayer are:

(1) the intention;

(2) the opening Allahuakbar;

(3) reciting the Fatiha, including *BismiLlahi r-Rahmani r-Rahim*[17] and the fourteen doublings (*tashdidat*), and distinguishing d from z, there being no z in the Fatiha;[18]

(4) then bowing (*ruku`*): it is necessary to lean forward such that one's palms reach one's knees; one is to repose therein, necessarily, such that one's limbs come to a rest;

(5) then straightening up: one is to repose therein necessarily;

(6 & 7) then prostrating (*sujud*) twice and sitting between the two prostrations: one is to necessarily repose in all (one does the rest of the cycles the same way, with the first testification (*tashahhud*) and its sitting being sunna);

(8 & 9) the final testification sitting for it are essential;

(10) praying for the Prophet (Allah favor and salute him) after the final testification is essential;

(11) and closing the prayer with salaam is essential: its minimum is, *As-salamu `alaykum*. [19]

2.6 The minimal testification is, *At-tahiyyatuliLlah. Salamun `alayka 'ayyuhannabiyyu warahmatuLlahiwabarakatuh. Salamun `alaynawa `ala `ibadiLlahi s-salihin. 'Ashhadu 'al la 'ilaha 'illaLlah(u), wa 'annaMuhammadan `abduhu warasuluh.*

2.7 The minimal prayer for the Prophet (Allah favor and salute him) is, *Allahummasalli `ala Muhammad.*

### *Other Demanded Matters of Prayer*

2.8 One should perform all the sunnas, which are very many. One should take care to have sincerity, which means acting for Allah (how high is He!) alone. One should have presence, which means knowing what one is saying and doing. One should have focus, which means stillness of limbs[20], presence of heart, and reflecting upon the recitation and invocation; for Allah only accepts of the prayer according to the amount of presence. Showing off is forbidden in prayer and everything else, it meaning acting for the sake of people.

### *Invalidators (Mubtilat) of Prayer*

2.9 Prayer is invalidated by:

- (1) speech done deliberately—even if only two letters—or forgetfully if much;
- (2) much movement, such as three steps;[21]
- (3) eating and drinking;
- (4) exposure of the shameful area, if not immediately covered;
- (5) occurrence of filth if not immediately removed without carrying it;
- (6) and preceding the imam by two physical integrals, likewise lagging behind by that much, without excuse.[22]

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14. Likewise with the fast break. The Prophet(Peace Be Upon Him) said "if one is certain i.e. about the sunset, he may break his fast". One has to know for a fact the time of the prayer has entered.

15. In the Shafi'i School, facing the qiblah is fardh, till the extreme that is one was facing the Ka'abh itself and he was slightly off, his prayer would be invalid, the other schools differ(See Al Fiqh 'Ala al Madhahib al-Arba'ah vol.1 by Abd al Rahman Al Jaziri)

16. The awrah to the Shafi'is for the man is what's between navel and knees, meaning if all he had was an izzar to cover himself for prayer, he would have to make it fit that way. And for the woman is everything except her face and hands in salah. However outside salah, her face would be considered awrah(See umdat al salik/woman obligatory clothing in the Shafi'i school). A pure permitted barrier is something that is free of najas and not see through

17.It is fardh to say it in loud and silent prayers as part of the surah. It is recited as well, where as the other 3 Schools, it is said silent regardless to the kind of salah.

18. This means recite every letter with Tarteel and slowly, this is sunna.

19. This is the least or the minimum that can be said in the taslim.(See Minhaj et Talibeen, section of salah). The Prophet(Peace Be Upon Him) used to say as-salamualikum on both sides(see SahihBukhari, Chapter Of The Salat)

20. This is called Khushu'. This is fardh to have a slight rest in every position in the prayer in the Shafi'i Schools and Hanbali Schools. The Maliki and Hanafi schools do not find it fardh to have stillness or the brief sitting when coming up from sujud to enter qiyam. Both have evidence to support their claims.

21. It is permissible to take two steps to pray with someone, open a door that one is facing if needed, or fill in a gap in the salah between two people.

22. Excuse in The Shafi'I school for the Muqtadi(follower) is to complete his al fathiha, but he still cannot lag behind 2 integrals. However if he is late, he takbirs and it is not necessary to recite the full fathihah in order to catch the Imam in correct timing(See Muqadimiyyah al Ḥaḍramawmiyya, Minhaj et Talibeen and the Umdat(reliance))

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#### *Those Not Valid to Follow*

2.10 The prayer is not valid behind a disbeliever, a woman or an intersex.[23]

#### *Friday (Jumu'a) Prayer*

2.11 The Friday prayer is personally obligatory (*fard`ayn*) for every Muslim that is male, free, and resident[24] with no legal excuse, such as illness or rain.

2.12 Of the conditions of the Friday prayer are the two sermons. Their integrals are:

- (1) praising Allah (how high is He!);
- (2) praying for the Prophet (Allah favor and salute him);
- (3) advising piety;
- (4) reciting a verse of the Qur'an in one of the two;
- (5) and praying for the believers in the last.[25]

2.13 It is necessary that one sermonize standing, ritually purified, covering the shameful area. Also necessary is sitting between the two [sermons] longer than the repose of prayer, as is continuity.

#### *Other Demanded Prayers*

2.14 The group prayer and funeral prayer are communally obligatory (*fardkifaya*). The two eid prayers, the two eclipse prayers, and the witr prayer are emphasized sunnas, as are the prayer's regular sunnas. The forenoon (*duha*) and tarawih prayers are sunnas with merit and tremendous reward.

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23. A intersex is commonly referred to as a *hermaphrodite*. If a man and a woman and a intersex makes salah, the intersex prays behind the man and the woman stands behind them. The inter sex cannot pray behind a Woman neither another intersex.(see Imam Shirazi's Tanbih). However A woman can pray behind a intersex(see Imam Nawawi's Sharh al-Muhadhahab vol.4 pg 255)

24. Free does not apply in our times, as this was in reference to a person who was a slave. Jumu'ah salah is not obligatory on a traveler but a resident. In the Shafi'i School, 40 men make a valid Jumu'ah prayer. So if the 40<sup>th</sup> person was a traveler, that would not meet the condition. This is the strictness of the Madhab. Women are not obligated to make the prayer because of their menstruation, or other problems that may time to time unable them to attend. But they can still be present. And if not, they should keep themselves concealed during it's time until the prayer is over (See Minhaj et Talibeen).

It is also worth to mention that the Jumu'ah prayer takes place in a town setting not a village. The inhabitants of a village must make hijrah to a town to perform the prayer as ordered by The Prophet (Peace Be Upon Him). (See Abu Dawud Kitab Al Salat).

25. Most khutbars are invalid in the shafi'i school particularly in the west (Quoted From Shaykh Hamza Karamali). These conditions are what makes the Prayer valid. If one talks about worldly life, politics, cultural history, biography of scholars or praying for the believers in this life, the prayer is invalid in the Shafi'IMadhab.

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### 3

#### **FASTING**

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#### *The Meaning of Fasting*

3.1 Fasting, the third of the pillars of Islam, is a well-known abstinence in a particular fashion. It includes the intention for each day made from the night [26], and refraining from the things that break the fast:

- (1) eating and drinking;
- (2) sexual intercourse;
- (3) ejaculation induced through skin-to-skin contact;
- (4) induced vomiting, out of choice. [27]

#### *Perfecting Fasting*

3.2 Perfecting fasting involves keeping the seven to-be-mentioned body parts from what Allah (how high is He!) detests. For, in hadith is [stated], "Five break the fast of someone fasting: lying, slander, talebearing, false oath, and looking with desire." [28]

Perfecting fasting also involves seeking to break the fast on something allowed, as well as not overeating.

### *Optional Fasting*

3.3 One should fast frequently, particularly those days meritorious in the Sacred Law.[29]

And Allah knows best. And through Allah is success.

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26. In the Islamic time, the night is considered from Magrib till fajr, one makes his intention to fast the fardh fast, this time, however with nafl fast, that's not the case.

27. Vomiting from sickness does not invalidate the fast but forcing oneself to vomit does.

28. The above mentioned is mahruh(disliked)to do, but the fast is still valid

29. This refers to the fast of 'Ashura, the 13<sup>th</sup> 14<sup>th</sup> 15<sup>th</sup> of every month(according to the Islamic calendar) and soforth.

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## **4**

### **ZAKAT**

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#### *Properties Liable to Zakat*

4.1 As for zakat, the fourth pillar of Islam, it is necessary for every Muslim to know the kinds of possessions from which it is necessary:

(1) livestock;

(2) the two moneys;[30]

(3) trade;

(4) buried treasure;[31]

(5) mines;

(6) and crops: i.e., seeds and fruits.

#### *Conditions of Zakat*

4.2 There is no zakat except on free-range livestock.[32]

4.3 A lunar year is a condition for them, it likewise being a condition for moneys and trade.

4.4 The amount liable (*nisab*) is also a condition in these kinds.

#### *Necessary Portions*

4.5 The necessary portion from moneys and trade is 1/40. The necessary portion from irrigated seeds and fruits is 1/20 and unirrigated ones is 1/10.

#### *Fitr Zakat*

4.6 The fitr zakat is necessary for every Muslim if it is in excess of his and his dependents' needs for the day and night of eid.

4.7 It is four scoops according to the scoop of the Prophet (Allah favor and salute him).[33]

#### *Paying Zakat*

4.8 Intention is necessary in all.

4.9 It is not permissible to spend the [property] zakat or fitr zakat except on someone free, Muslim, and fitting into one of the eight categories (such as the needy and the poor), and who is not a Hashimi, a Mutallibi,[34] or a freed slave of either.

4.10 It is necessary to include all of them present.

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30. Gold And Silver(paper currency in our time.)

31. This is from Jahiyliyyah(PreIslam)

32. They have to be raised on un owned open land. The land cannot be owned.

33. The Shafi'is this is considered 1 Mudd. The Hanafis differ; they say it must be money because it is more beneficial to the poor.

34. The Tribes Of Muhammad(Peace Be Upon Him)

## 5

### HAJJ

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#### *For Whom Hajj and Umra Is Essential (Fard)*

5.1 Hajj, the fifth pillar of Islam, is essential for every free, accountable Muslim—as is umra—once in a lifetime, given the condition of ability: that one own what one needs in one's travel to the hajj, going and returning, and the provision of one's dependents until one's return.[33]

#### *Acts of Hajj*

5.2 The acts of the hajj are three things: integrals, obligations, and sunnas.

#### *Integrals (Arkan) of Hajj and Umra*

5.3 The integrals are five:

(1) ihram, i.e. the intention to enter hajj or umra; it is recommended to say along with it, "I have intended the hajj (or umra) and have entered its ihram for Allah (how high is He!)" ; the ihram of hajj is not valid except in its months: Shawwal, Dhu l-Qa`da, and the ten days of Dhu l-Hijja, their end being the rise of the dawn of eid;

(2) standing at Arafa;

(3) the going-forth circling (tawaf);

(4) going between Safa and Marwa;

(5) and shaving or shortening the hair.[34]

5.4 The integrals of umra are the integrals of hajj minus standing at Arafa, which is not one of them.

5.5 Necessary for circling are:

- (1) covering the shameful area;
  - (2) purity from the two ritual impurities as well as from filth;
  - (3) and that it be seven rounds within the mosque with the House on one's left while one is outside of it.
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33. Hajj and Umra are both obligatory in the Shafi'i School. Allah says in Qur'an "Establish Hajj & Umra to my remembrance"(2:196). One has to afford Hajj, meaning he has to have enough to support his family while he is away. Hajj is obligatory once in a life time. One is not obliged to quit his job or sale his house to go. However if his job will not allow him the time, he must quit his job to fulfill his obligation to Allah swt

34. Cutting just 3 hairs(small) will be valid. One does not actually have to shave his or her head In the Shafi'i School.(See Minhaj Et Talibeen or The Reliance)

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5.6 It is necessary that the going between Safa and Marwa be seven and after the circling, and that one begin with Safa and end with Marwa.

*Obligations (Wajibat) of Hajj*

5.7 The obligations of hajj are:

- (1) ihram from the site;
- (2) staying over in Muzdelifa the eve of eid;
- (3) staying over in Mina the nights after eid;
- (4) stoning;
- (5) the farewell circling.[35]

*Sunnas*

5.8 As for the sunnas, they are everything other than the integrals and the obligations.

*Omitting Parts of Hajj*

5.9 Whoever omits an integral, his hajj is not valid, and he does not exit his ihram until he performs it. Neither slaughtering nor anything else can make up for it.

Three of the integrals do not expire as long as one lives:

- (1) circling;
- (2) going between Safa and Marwa;
- (3) and shaving.

5.10 Whoever leaves any of the obligations, his hajj is valid, but he must slaughter; and he is sinful if he is not excused.

5.11 Whoever leaves any of the sunnas is not responsible for anything, but he misses out on the merit.



### *Forbiddances of Ihram*

5.12 Unlawful in ihram are:

- (1) for a man to cover any of his head;
- (2) for a woman in ihram to cover any of her face;[36]
- (3) removing nails or hair;
- (4) oiling the hair of the head or beard;[37]
- (5) scenting any of the body;
- (6) contracting marriage;
- (7) sexual intercourse or foreplay;
- (8) and harming any edible wild land animal.

The forbiddances apply to women as they apply to men.

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35. This must be the very last thing one has to do before leaving the city. He must only get his luggage after that and leave soon after or it is not counted as farewell.

36. A Woman can wear a cap to have a screen hanging from it to hide her face but it cannot touch or surround the face like a niqab (See The Reliance)

37. This can be done after one has partially released himself from ihram. Likewise combing will pull out some hair and that will call for an expiation.

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## **6**

### **VIRTUES AND VICES**

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#### *Guarding from Vices*

6.1 Guarding the heart from vices is necessary for every Muslim. Likewise, guarding the seven body parts is essential for every individual Muslim.

### *Vices of the Heart*

6.2 Vices of the heart include:

- (1) uncertainty about Allah (how high is He!);[38]
  - (2) feeling safe from Allah's devising;
  - (3) despair of Allah's mercy;
  - (4) haughtiness towards the slaves of Allah (how high is He!);
  - (5) showing off;[39]
  - (6) conceit over obedience to Allah (how high is He!);[40]
  - (7) envy and rancor towards the slaves of Allah (how high is He!) (envy meaning disliking and feeling burdened by the blessing a Muslim has)
  - (8) persisting in disobeying Allah;
  - (9) stinginess in what Allah (how high is He!) has obligated;
  - (10) thinking badly of Allah and Allah's creation;
  - (11) and belittling what Allah has deemed enormous—of obedience, disobedience, Koran, knowledge, Paradise, or Hell.
- All of these are of the vices and vile, destructive things. In fact, some of these are things that enter one into disbelief, and refuge from that is in Allah (how high is He!).

### *Virtue of the Heart*

6.3 Virtue of the heart includes:

- (1) faith in Allah;
- (2) certitude;
- (3) sincerity;
- (4) humility;
- (5) genuineness to the Muslims;[41]
- (6) magnanimity;
- (7) thinking well;
- (8) exalting the emblems of Allah;
- (9) gratitude for the favors of Allah (such as Islam, obedience, and all other blessings);
- (10) patience with tribulation (such as illnesses, afflictions, the death of loved ones, loss of wealth, and the subjugation of people);
- (11) patience in virtue;
- (12) patience from vices;
- (13) trusting in provision from Allah;
- (14) despising the lower world;
- (15) opposing the self and Satan;
- (16) love of Allah and His Messenger along with his companions, his household, the Followers, and the righteous;
- (17) contentment with Allah;
- (18) reliance on Him;
- (19) and other delivering obligations of the heart.

#### *Vices of the Stomach*

6.4 As for the vices of the body parts, vices of the stomach include:

- (1) consuming interest (riba);[42]
- (2) drinking any inebriant;
- (3) consuming the orphan's wealth;[43]
- (4) and [consuming] any food or drink Allah has forbidden.

Allah and His Messenger have cursed the consumer of interest and everyone who facilitates its consumption and have cursed the drinker of wine and everyone who facilitates its drinking, even its seller.

#### *Vices of the Tongue*

6.5 Vices of the tongue are also many, such as:

- (1) slander, meaning your mention of Muslim brother with what he dislikes, even if true;
- (2) talebearing;
- (3) lying;
- (4) swearing;
- (5) insulting;
- (6) cursing;
- (7) and others.

#### *Vices of the Eye*

6.6 Vices of the eye include:

- (1) looking at outsider women;[44]
- (2) looking at shameful areas (ʿawrat);
- (3) looking down at a Muslim;
- (4) and looking into someone else's house without his permission.

#### *Vices of the Ear*

6.7 Vices of the ear include:

- (1) listening to slander and other forbiddances.

#### *Vices of the Hand*

6.8 Vices of the hand include:

- (1) stinting when measuring volume or weight;
- (2) treachery;
- (3) theft;
- (4) and all other forbidden interactions, such as killing and hitting without right.

### *Vices of the Foot*

6.9 Vices of the foot are:

(1) Walking towards plotting against, killing, or whatever harms a Muslim without right, or anything else forbidden to walk to.

### *Vices of the Genitals*

6.10 Vices of the genitals include:

- (1) illicit intercourse;
- (2) sodomy;
- (3) masturbation;[45]
- (4) and other vices of the genitals.

### *Vice with the Whole Body*

6.11 Vice with the whole body includes:

- (1) unruliness to parents;
- (2) fleeing from the battle lines (which is of the enormities);[46]
- (3) and other than what was mentioned, such as cutting blood ties and oppressing people.

### *Conclusion*

6.12 And Allah is the one that enables and aids [achievement of] what He loves and is pleased with. May Allah favor our master Muhammad and his family and companions, and salute them

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39. This is considered “Minor Shirk” This is to do for others and not Allah swt. This is a major sin(SeeIbnHajar Al Haytami’s Book “Al-Zawajir)

40. This is for one to brag about his worship for example “I dhikr all night” “ I never miss fajr” “Im Sufi” etc

41. And Non-Muslims

42. Riba is a gain of interest. Rules apply for Non Muslim lands such as certain evidence in The Hanafi School. In the Shafi’i School, riba is unacceptable period. This was decided by Imam Shafi’ihimself. However some Shafi’ifollow certain rules in non-Muslim lands we will mention in later works.

43.Qur’an(4:1-3)

44. Men And Women whom one is not married to. This applies to the face and hand as well Unless one wants to inquire Marriage and this is done with permission.(See Abu DawudKitab Al Nikah). It is permissible to look at the opposite sex in the eyes only when doing a transaction or the private parts if one is a medical specialist(See Mukhtasarfil-Risalah Of Qadi Abu Shuja')

45.In the Shafi'i school it is never permissible. However certain opinions in the Hanbali and Hanafi School allow it to protect oneself from zina but it is still disliked in their schools.

Allah Knows Best.

46. JihadulAsgar "The Lesser Jihad" This is a community responsibility when the Muslims have to fight tyrants for the sake of religion and an individual obligation when the Muslims are under attack from all sides. Allah made this mandatory Quran(2:216). Fleeing from the obligation is Haram.

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## **Glossary**

**Umdat Al Salik or Umdat-The Reliance Of The Traveler.** A book designed specifically translated for English speaking Shafi'is. Translated by Nuh Min Keller.

**Minhaj Et Talibeen-**The major opinion in the Shafi'i School written by Imam Yahya Zakariyyah An Nawawi (Ra). The book shows the opinions of the earlier shafi'is (Ashabul Wujuh) and The split opinions of Imam Shafi'i himself. In this book, Imam Nawawi has given his best preference according to the sunnic traditions.

**Zuhud-**Piety, Sufism. Godfearing. To not be concerned with the worldly life.

**Mustafa Azzam-**The translator of Risalah Al Jami'a

**Imam Haddad-**A pious saint and shafi'i scholar from the Yemen area. He was the teacher of many and A teacher of the Author.

**Fardh/Wajibat-**Obligatory but may apply to just being necessary in terms of Hajj in the Shafi'i School

